

**ATHLETIC TRAINERS AFFILIATED CREDENTIALING BOARD  
MINUTES  
MADISON, WISCONSIN  
August 5, 2002**

**PRESENT:** Bradley Sherman, John Sybeldon, Kathleen O'Connell, Russell Delap, and Heidi Gutschow

**EXCUSED:** Dr. William Bartlett

**STAFF PRESENT:** Deanna Zychowski, Bureau Director, Bill Black, Legal Counsel, Division of Enforcement staff, and Grace Schwingel

**CALL TO ORDER**

Bradley Sherman called the meeting to order at 9:30 a.m. A quorum of 5 members was present.

**APPROVAL OF AGENDA**

**MOTION:** John Sybeldon moved, seconded by Russell Delap, to approve the agenda as published. Motion carried unanimously.

**APPROVAL OF MINUTES OF MAY 6, 2002**

**MOTION:** Heidi Gutschow moved, seconded by John Sybeldon, to approve the minutes of May 6, 2002 as written. Motion carried unanimously.

**SECRETARY OSCAR HERRERA**

Secretary Oscar Herrera addressed the board to keep the Board advised of activity in the Department. The Department is preparing its budget and would like board members to let Deanna Zychowski know how the Department can better serve the board members and the people the Board serves.

**REVIEW OF SCOPE STATEMENT AND PROPOSED RULES CHANGES RELATING  
TO THE CONSULTING PHYSICIAN**

The Board had a lengthy discussion on the issue raised by the statutory protocol that requires athletic trainers to contact the primary physician if a patient they are already treating sustains a new injury. It was felt that a line of authority has been created that does not seem to serve any real purpose, and is burdensome for both physicians and athletic trainers. Physicians are reluctant to be authorizing treatment for a patient they are not seeing because of the liability issues involved. It was suggested that if the statute were changed to read that athletic trainers contact "a" consulting physician rather than "the" consulting physician, that would reduce some

of the difficulty. The Board decided to invite guest speakers to its next meeting to talk about this situation further. The discussion was tabled until the next meeting.

### **PRACTICE QUESTIONS**

A practice question was raised concerning the 30-hour continuing education requirement for someone who was just recently licensed and now has to renew their license just a few months after receiving their original license.

**MOTION:** John Sybeldon moved, seconded by Kathleen O'Connell, to authorize Legal Counsel, Bill Black, to prepare a scope statement addressing the athletic trainers' licensure renewal process which would exclude new licensees from having to meet the continuing education requirements in the biennium in which they are licensed. Motion carried unanimously.

Legal Counsel, Bill Black, will respond to questions raised by Scott Stenger, lobbyist for the Wisconsin Athletic Trainers Association (WATA). Bill Black indicated he is in the process of providing information to licensees and the public by putting frequently asked questions received by the Department on the Department's web site for the Athletic Trainers.

### **PRESENTATION BY DAVE O'CONNELL AND STAFF FROM DIVISION OF ENFORCEMENT ON THE CASE HANDLING PROCESS FOR COMPLAINTS.**

Dave O'Connell provided board members with two handouts, one that explained the case handling process and another that explained the screening process. O'Connell talked with the Board about the screening and monitoring processes the Department uses in handling complaints and monitoring disciplinary actions taken by the Board.

Mike Berndt, the Attorney-Health Team Supervisor talked about the stages involved in investigating a case, and legal action that can be taken during the case handling process.

### **RECESS TO CLOSED SESSION**

**MOTION:** Kathleen O'Connell moved, seconded by John Sybeldon, to adjourn to closed session pursuant to Wisconsin State statutes 19.85(1)(a)(b)(f) and (g). Motion carried unanimously.

Open Session adjourned at 11:00 a.m.

### **RECONVENE INTO OPEN SESSION**

**MOTION:** John Sybeldon moved, seconded by Heidi Gutschow, to reconvene into open session at 11:10 a.m. Motion carried unanimously.

## **VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION**

**MOTION:** Kathleen O'Connell moved, seconded by John Sybeldon, to close cases 02ATB001 and 02AATB002 for prosecutorial discretion. Motion carried unanimously.

## **UPDATE ON STATUS OF REGULATORY DIGEST**

Two articles have been written for the regulatory digest and will be submitted to Deanna Zychowski for the Board's Regulatory Digest.

## **ADJOURNMENT**

**MOTION:** Heidi Gutschow moved, seconded by Kathleen O'Connell, to adjourn the meeting at 11:15 a.m. Motion carried unanimously.

**Next Meeting: Monday, October 14, 2002**